

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA,) CASE NO. 05:05CR283-001
)
Plaintiff,)
)
v.) Judge Peter C. Economus
)
TYREIA L. GRIMES,)
)
Defendant.) ORDER

On August 9, 2009, the Defendant, Tyreia Grimes, was sentenced to twenty-seven months imprisonment, followed by three years of supervised release, for being a Felon in Possession of a Firearm, a Class C felony. Her supervised release commenced on July 6, 2007.

On or about January 12, 2009, the Defendant's probation officer submitted a violation report alleging the following violations of the terms of supervised release:

1. **Use of Illicit Substances** - Urine samples collected 12/3/08, 11/12/08, and 9/17/08 were certified positive for cocaine metabolite, cocaine and marijuana metabolite and marijuana metabolite on 12/17/08, 11/29/08 and 9/26/08, respectively, by Kroll Laboratories, Inc.
2. **Law Violation - Possession of Drugs - Cocaine, ORC 2925.11C4A (F5)** - On 01/01/09 the offender was arrested and charged with one count Possession of Drugs - Cocaine, Canton Municipal Court Case No. 2009CRA00019. On 01/04/09, the offender posted \$2,500 unsecured bond with supervision by Pretrial Services in Stark County, OH.
3. **Violation of Standard Condition 11** - The offender failed to notify the probation officer within 72 hours of being questioned or arrested by law

enforcement of the above-noted arrest.

4. **Law Violation** - On 07/11/08, Ms. Grimes was cited with one count Driving Under Financial Responsibility Act Suspension/Cancellation - Offense number 3 (M1), one count Display/Obstruction Plates, minor misdemeanor, one count No Seat Belt, minor misdemeanor.
5. The offender failed to notify the probation officer within 72 hours of contact with police regarding the law violation noted in number 4.

The matter was referred to Magistrate Judge George J. Limbert to conduct the appropriate proceedings, except for sentencing, and to prepare a report and recommendation. The Defendant appeared before the Magistrate for a violation hearing on January 23, 2009, and was represented by counsel James Gentile. At the hearing, the Defendant admitted to violations one, three, four, and five; the Government withdrew violation number two. The Magistrate has issued a Report and Recommendation, recommending that the Court find that the Defendant has violated the terms of her supervised release. (Dkt. # 42.)

The Court has reviewed the Magistrate's Report and Recommendation and finds that it is well-supported. The Defendant has admitted violations one, three, four, and five of the probation officer's violation report. As a result, the Court finds that the Defendant has violated the terms of her supervised release.

The Court has considered the statutory maximum sentence of two years pursuant to 18 U.S.C. § 3583(e)(3). The Court has also considered the advisory policy statements set forth in Chapter Seven of the United States Sentencing Guidelines prior to imposing sentence. The guideline range is seven to thirteen months pursuant to U.S.S.G. § 7B1.4(a). Furthermore, the Court has considered the factors for sentencing listed in 18 U.S.C. §

3553(a) and 3583(d).

The Court hereby **ADOPTS** the Magistrate's Report and Recommendation. (Dkt. # 42.) Based on this Court's review of all relevant factors, the Court hereby orders that the Defendant's supervised release is **REVOKED**, and the Defendant is sentenced to thirteen (13) months imprisonment. Furthermore, the Defendant's remaining term of supervised release is hereby terminated.

IT IS SO ORDERED.

s/ Peter C. Economus - February 3, 2009
PETER C. ECONOMUS
UNITED STATES DISTRICT JUDGE